

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

MICHAEL HERBST,

No. 4:15-CV-5116-JTR

Plaintiff,

V.

CAROLYN W. COLVIN,
Commissioner of Social Security,

ORDER GRANTING PLAINTIFF'S
MOTION TO DISMISS WITH
PREJUDICE

Defendant.

BEFORE THE COURT is Plaintiff's motion for dismissal with prejudice.

ECF No. 21. Attorney Thomas Bothwell represents Michael Herbst (Plaintiff); Special Assistant United States Attorney Richard M. Rodriguez represents the Commissioner of Social Security (Defendant). The parties have consented to proceed before a magistrate judge. ECF No. 3.

Plaintiff requests a dismissal of his action, with prejudice, and indicates Defendant has no objection to the motion to dismiss. ECF No. 21. Accordingly,

IT IS HEREBY ORDERED:

1. Plaintiff's motion for dismissal with prejudice, **ECF No. 21**, is

GRANTED.

2. Plaintiff's Complaint, ECF No. 5, is **DISMISSED WITH PREJUDICE**.

1 **IT IS SO ORDERED.** The District Court Executive is directed to file this
2 Order, provide a copy to counsel for Plaintiff and Defendant, and **CLOSE** the file.

3 DATED July 22, 2016.



A handwritten signature in black ink, appearing to read "M".

5 JOHN T. RODGERS
6 UNITED STATES MAGISTRATE JUDGE
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